

MAR 19 2008

United States District Court

For The Northern Mariana Islands
By

DISTRICT OF THE NORTHERN MARIANA ISLANDS (Deputy Clerk)

UNITED STATES OF AMERICA

SUMMONS IN A CIVIL ACTION

v.

CASE NUMBER: CV 08 0015

SABLAN CONSTRUCTION COMPANY, LTD.
a/k/a SABLAN CORPORATION d/b/a
SABLAN ROCK QUARRY a/k/a
SABLAN ENTERPRISES, INC.

TO: (Name and Address of Defendant)

Agnes G. Sablan (Registered Agent)
P.O. Box XXXXX
Saipan, MP 96950

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

MIKEL W. SCHWAB, Assistant U.S. Attorney
JESSICA F. CRUZ, Assistant U.S. Attorney
U.S. Attorney's Office
Sirena Plaza, Suite 500
108 Hernan Cortez Avenue
Hagatna, Guam 96910

an answer to the complaint which is herewith served upon you, within Twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

MAR 18 2008

GALO L. PEREZ

CLERK

DATE

BY DEPUTY CLERK

AO 440 (Rev. 1/90) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹	DATE <u>03-18-08</u>	
NAME OF SERVER (PRINT) <u>DON D. HALL, Sr</u>	TITLE <u>SDUSM</u>	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>SABLAN CONSTRUCTION</u> <u>AFETNA BLDG - SAN ANTONIO</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL <u>\$3.88</u>	SERVICES <u>\$45.00</u>	TOTAL <u>\$48.88</u>
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>03-18-08</u> <u>DHALL</u> <div style="display: flex; justify-content: space-between; width: 80%; margin: 0 auto;"> Date Signature of Server </div>		
<u>SAIPAN, MP</u> Address of Server		

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

USM-285 is a 5-part form. Fill out the form and print 5 copies. Sign as needed and route as specified below.U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**
See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF UNITED STATES OF AMERICA		COURT CASE NUMBER	
DEFENDANT SABLAN CONSTRUCTION COMPANY, LTD. a/k/a SABLAN CORPORATION d/b/a SABLAN ROCK QUARRY a/k/a SABLAN ENTERPRISES, INC.		TYPE OF PROCESS SERVICE OF COMPLAINT & SUMMONS	
NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN			
SERVE AT	Agnes G. Sablan (Registered Agent)		
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) Saipan, MP		
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW		Number of process to be served with this Form 285	1
United States Attorney's Office, Financial Litigation Unit Sirena Plaza, Suite 500 108 Hernan Cortez Avenue Hagatna, Guam 96910		Number of parties to be served in this case	1
		Check for service on U.S.A.	0

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE *(Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service)*

Fold

Fold

See attached for information purpose only. Not to be filed with the Court.

Signature of Attorney other Originator requesting service on behalf of: <i>Mikel W. Schwab</i>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 671-472-7332	DATE
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. <i>(Sign only for USM 285 if more than one USM 285 is submitted)</i>	Total Process 1	District of Origin No. 005	District to Serve No. 005	Signature of Authorized USMS Deputy or Clerk <i>Hall</i>	Date 03-18-08
I hereby certify and return that I <input checked="" type="checkbox"/> have personally served, <input type="checkbox"/> have legal evidence of service, <input type="checkbox"/> have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.					
<input type="checkbox"/> I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above <i>(See remarks below)</i>					
Name and title of individual served <i>(if not shown above)</i>				<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode	
Address <i>(complete only different than shown above)</i>				Date 03-18-08	Time 3:12 <input type="checkbox"/> am <input checked="" type="checkbox"/> pm
				Signature of U.S. Marshal or Deputy <i>Hall</i>	
Service Fee \$45.00	Total Mileage Charges including endeavors \$3.88	Forwarding Fee 0	Total Charges \$48.88	Advance Deposits 0	Amount owed to U.S. Marshal* or (Amount of Refund*) \$0.00 \$48.88

REMARKS:
SERVED ON 1ST ENDEAVOR
8 MILES ROUNDTRIP
1 DEPUTY X 1 HOUR X \$45.00**PRINT 5 COPIES:**

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

INSTRUCTIONS FOR SERVICE OF PROCESS BY U.S. MARSHAL

Please type or print legibly, insuring readability of all copies. **DO NOT DETACH ANY COPIES.** Submit one complete set of this form (USM-285) and one copy of each writ for each individual, company, corporation, etc., to be served or property to be seized or condemned. The applicable fees for such service(s) (T28, USC Sec. 1921 establishes the fees for service of process by the U.S. Marshal) may be required prior to said service.

For service of any process upon an officer or agent of the United States Government, submit a copy of the writ and a set of Form USM-285 for each officer or agent upon whom service is desired. Submit three (3) additional copies of the writs for service upon the Government of the United States. The U.S. Marshal will serve one (1) upon the U.S. Attorney and will forward two (2) to the Attorney General of the United States. (When the applicable box is checked, completion of the final signature block by the U.S. Marshal or his Deputy always certifies service on the U.S. Attorney and the Attorney General, regardless of whether other defendants on the writ were served.) Failure to provide any of the copies will delay service of the writ.

Complete all entries above the double line. Mark all applicable check boxes and use the "Special Instructions" to advise of any information that will assist the U.S. Marshal in expediting service.

If more than one writ and USM-285 is submitted on a single case, the U.S. Marshal will receipt for all of them on the first USM-285. You will receive for your records the last (No. 5) "Acknowledgment of Receipt" copy for all the USM-285 forms you submit. When the writ is served, you will receive the No. 3 Notice of Service copy. This copy will be identical to the return to the Clerk of the Court.

Upon completion of all services (if the Marshals fees were not requested or tendered in advance or if additional fees are indicated), you will receive a "Billing Statement" (copy 4 of USM-285) from the United States Marshal. (NOTE: Copy 4 should be returned, by you, to the U.S. Marshal, together with your payment of the amount owed.

Additional supplies of the USM-285 may be obtained from the Clerk of the U.S. District Court or U.S. Marshal, without cost.